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MANATT, PHELPS & PHILLIPS, LLP  
11355 WEST OLYMPIC BLVD.  
LOS ANGELES, CA 90034

EXAMINER

MORGAN, ROBERT W

ART UNIT

PAPER NUMBER

2166

DATE MAILED: 02/27/2002

15

Please find below and/or attached an Office communication concerning this application or proceeding.

NM

# Office Action Summary

Application No.

09/349,049

Applicant(s)

MURAKAMI ET AL.

Examiner

Robert W. Morgan

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2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_ 6) ☐ Other:

## **DETAILED ACTION**

### ***Response to Amendment***

1. In the amendment filed 10/31/01 in paper number 14, the following has occurred: Claims 5 and 20 have been amended. Claims 1-35 are presented for examination.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4-5, 9-21 and 25-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,812,070 to Tagami et al. in view of U.S. Patent 5,948,040 to DeLorme et al.

As per claim 1, Tagami et al. teaches a vehicle sharing system, comprising:

--the claimed at least one port including a parking space and a terminal for accepting as request to use a vehicle is met by the main port (MP, Fig. 4) that has a storage area, charging area, renting area and returning area as well as computer (60, Fig. 4) connected to user interface (48, Fig. 4) that allow potential users to request the usage of a vehicle (see: column 5, lines 20-23, 46-53); and

--the claimed control center including a computer unit for processing said request and allocating a vehicle to each request is met by the main port (MP, Fig. 4) which holds computer (60, Fig. 4) that processes user information including requests for vehicles (see: column 5, lines 46 to column 6, lines 2);

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Tagami et al. fails to teach the claimed said request includes an estimated distance and time duration of an intended trip.

DeLorme et al. teaches a Travel Reservation and Information System (TRIPS) that allows the users by mouse commands or map display to input departure point, finish point and time frame of an intended trip (see: column 18, lines 58 to column 19, lines 8).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to include the user's inputted departure point, finish point and time frame regarding an intended trip in the Travel Reservation and Information System (TRIPS) as taught by DeLorme et al. within the vehicle sharing system as taught by Tagami et al. with the motivation of enabling the users to revise or edit travel plans and alternate routes (see: DeLorme et al. abstract). Such a modification would ensure the proper vehicle having the necessary requirements are allocated to user, within the combined system.

As per claim 4, Tagami et al. teaches the claimed terminal including a display device and is programmed to display the identity of the allocated vehicle is met by computer (60, Fig. 4) and user interface (48, Fig. 4) which includes a display screen for providing vehicle information (see: column 5, lines 46-61).

As per claim 5, Tagami et al. a vehicle allocation system for allocating one or more vehicles from a fleet of vehicles to one or more users, the vehicle allocation system comprising:

--the claimed one or more ports at geographically remote locations relative to each other, each port having a user interface terminal for receiving user-input information is met by the main parking port (MP, Fig. 1) in a geographical region (G, Fig. 1) which have a control center (MC, Fig. 1) for processing user vehicle information (see: column 4, lines 1-12);

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--the claimed at least one central station computer system coupled for communication with the user interface terminal at each port for receiving user-input information from any of said user interface terminals, wherein said at least one central station computer system is programmed to select and allocate a vehicle from the fleet in response to receiving user-input information from a user, said selection being based on the received user-input information is met by the main port (MP, Fig. 1) which holds computer (60, Fig. 4) that includes users interface (48, Fig. 4) that processes user information and select a vehicle (see: column 5, lines 34-36 and 46 to column 6, lines 2).

Tagami et al. fails to teach the claimed user-input information regarding the user's intended trip.

DeLorme et al. teaches a Travel Reservation and Information System (TRIPS) that allows the users by mouse commands or map display to input departure point, finish point and time frame of intended trip (see: column 18, lines 58 to column 19, lines 8).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to include the user's inputted departure point, finish point and time frame regarding an intended trip in the Travel Reservation and Information System (TRIPS) as taught by DeLorme et al. within the vehicle sharing system as taught by Tagami et al. with the motivation of enabling the users to revise or edit travel plans and alternate routes (see: DeLorme et al. abstract). Such a modification would ensure the proper vehicle having the necessary requirements are allocated to user, within the combined system.

As per claim 9, Tagami et al teaches the claimed port includes a display device to display the identity of the allocated vehicle to a user that inputs request information is met by the main

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port (MP, Fig. 1), computer (60, Fig. 4) and user interface (48, Fig. 4) which includes a display screen for providing vehicle information (see: column 5, lines 46-61).

As per claim 10, Tagami teaches the claimed user-input information comprises time of use information corresponding to a time period for which the user desires to use one of the vehicles from the fleet of vehicles is met by the user's usage records which indicate shortest and longest travel routes to expected destination when selecting the appropriate vehicle to perform the trip (see: column 8, lines 27-34).

As per claim 11, Tagami et al. teaches the claimed user-input information comprises distance information corresponding to a distance which the user desires to travel with one of the vehicles from the fleet of vehicles is met (see: column 5, lines 21-23, 62 to column 6, lines 2).

As per claim 12, Tagami et al. teaches user-input information further comprising time of use information corresponding to a time period for which the user desires to use one of the vehicles from the fleet of vehicles is met by the user's usage records which indicate shortest and longest travel routes to expected destination when selecting the appropriate vehicle to perform the trip (see: column 8, lines 27-34).

As per claim 13-15, Tagami et al. teaches the claimed user-input information further includes destination port information for identifying the port at which the user desires as a destination and wherein said time of use information and said distance information comprise information corresponding to the time and distance beyond the time and distance required to reach the destination port is met by user's usage records which indicate shortest and longest travel routes to expected destination from the main port (MP, Fig. 1) (see: column 8, lines 27-34).

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As per claim 16, Tagami et al. teaches a vehicle allocation system, wherein the vehicles in the fleet of vehicles are electric powered and each vehicle defines a state of charge (SOC) at any given time, the vehicle allocation system further comprising:

- the claimed plurality of vehicle computer systems associated on a one-to-one basis with the vehicles from the pool of vehicles, each vehicle computer system including means for detecting the SOC of its associated vehicle and for communicating a detected SOC to said at least one central station computer is met by the user interface (48, Fig. 4) communicating travel information to computer (60, Fig. 4) to assist in selecting a motor vehicle (C) with sufficient charge to complete the desired trip (see: column 5, lines 46-48, lines 69 to column 6, lines 2);

- the claimed at least one central station computer system is programmed to further base the selection of a vehicle on the detected SOC's of any vehicles located within the VSG of a port from which user-input information is received is met by the user interface (48, Fig. 4) communicating travel information to computer (60, Fig. 4) to help select a motor vehicle (C) from the pool of vehicles with sufficient charge to complete the desired trip (see: column 5, lines 46-48, lines 69 to column 6, lines 2).

As per claim 17, Tagami et al. teaches:

- the claimed port has a vehicle search group (VSG) in which more than one and less than all of the vehicle from the fleet may be located at any given time is met by the storage area (41) at the main port (MP, Fig. 1) that hold the vehicles in which the user travel information has selected to complete the desire trip (see: column 5, lines 60-67); and

- the claimed central station computer is programmed to select and allocate a vehicle from the VSG of the port from which user-input information is received is met by the computer

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(60, Fig. 4) communication with user's interface (48, Fig. 4) to select the appropriately charged vehicle to complete the desired trip (see: column 5, lines 62 to column 6, lines 2).

As per claim 18, Tagami et al. teaches the claimed port includes a vehicle parking facility at which one or more vehicles may be parked at any given time and the VSG of a given port includes vehicles parked at a parking facility at the port is met by the vehicles parked in the storage area (41) at the main port (MP, Fig. 1) (see: column 5, lines 27-31, 41-47).

As per claim 19, Tagami et al. teaches the claimed VSG of a given port further includes vehicles due to arrive at the port within a preset time period is met by the returning procedure which includes all vehicle returning to main port (MP, Fig. 1) within a certain time period (see: column 5, lines 31-33).

As per claim 20, Tagami et al. teaches a method for allocating one or more vehicles from a fleet of vehicles to one or more users, the method comprising:

- the claimed providing at least one port terminal, each having a user interface for receiving vehicle requests from users is met by the main port (MP, Fig. 1) with user interface (48, Fig. 4) needed for receiving user travel requests (see: column 8, lines 27-34);

- the claimed receiving a request for a vehicle at one of said port terminals from one of said users, said request including user-input information is met ( see: column 8, lines 27-34);

- the claimed communicating the user-input information to a central computer system is met by the computer (60, Fig. 4) that includes users interface (48, Fig. 4) that processes user information and selects the vehicle best equip to handle the intended trip (see: column 5, lines 34-36 and 46 to column 6, lines 2);



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--the claimed selecting a vehicle from the fleet and allocating the vehicle to the request, said selection being based, at least in part, on the user-input information received at that port terminal is met by selecting the appropriate vehicle for the trip according the user's travel record which includes time and distance information (see: column 5, lines 21-23, 62 to column 6, lines 2).

Tagami et al. fails to teach the claimed user-input information regarding the user's intended trip.

DeLorme et al. teaches a Travel Reservation and Information System (TRIPS) that allows the users by mouse commands or map display to input departure point, finish point and time frame of intended trip (see: column 18, lines 58 to column 19, lines 8).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to include the user's inputted departure point, finish point and time frame regarding an intended trip in the Travel Reservation and Information System (TRIPS) as taught by DeLorme et al. within the vehicle sharing system as taught by Tagami et al. with the motivation of enabling the users to revise or edit travel plans and alternate routes (see: DeLorme et al. abstract). Such a modification would ensure the proper vehicle having the necessary requirements are allocated to user, within the combined system.

As per claim 21, Tagami teaches the claimed step of providing at least one port terminal comprises locating a plurality of port terminals at geographically remote locations relative to each other, wherein each port terminal is coupled for communication with the central computer system is met by the user interface (48, Fig. 4) at the main port (MP, Fig. 1) in different

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geographical regions (G, Fig. 1) used for receiving IC cards with user's travel information (see: column 4, lines 65-67 and column 5, lines 40-49).

As per claim 25, Tagami et al. teaches the claimed step of displaying the identity of a selected vehicle on a display device at the port terminal, to inform the user of the selected vehicle is met by the main port (MP, Fig. 1), computer (60, Fig. 4) and user interface (48, Fig. 4) which includes a display screen for providing vehicle information (see: column 5, lines 46-61).

As per claim 26, Tagami et al. teaches the claimed user-input information comprises time of use information corresponding to a time period for which the user desires to use one of the vehicles from the fleet is met by the user's usage records which indicate shortest and longest travel routes to expected destination when selecting the appropriate vehicle to perform the trip (see: column 8, lines 27-34).

As per claim 27, Tagami et al. teaches the claimed user-input information comprises distance information corresponding to a distance which the user desires to travel with one of the vehicles from the fleet is met (see: column 5, lines 21-23, 62 to column 6, lines 2).

As per claim 28, Tagami et al. teaches the claimed user-input information further comprises time of use information corresponding to a time period for which the user desires to use one of the vehicles from the fleet of vehicles is met by the user's past usage records which indicate shortest and longest travel routes to expected destination when selecting the appropriate vehicle to perform the trip (see: column 8, lines 27-34).

As per claim 29-31, Tagami et al. teaches the claimed user-input information further includes destination port information for identifying the port at which the user desires as a destination and wherein said time of use information and said distance information comprise

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information corresponding to the time and distance beyond the time and distance required to reach the destination port is met by user's usage records which indicate shortest and longest travel routes to expected destination from the main port (MP, Fig. 1) (see: column 8, lines 27-34).

As per claim 32, Tagami et al. teaches the claimed vehicles in the fleet of vehicles are electric powered and each vehicle defines a state of charge (SOC) at any given time, the method further comprising detecting the SOC of vehicles in the fleet of vehicles and wherein said step of selecting a vehicle based on the user-input information received at the port terminal comprises further basing the selection on the detected SOC's of the vehicles is met by the user interface (48, Fig. 4) at the main port (MP, Fig. 1) communicating travel information to computer (60, Fig. 4) to assist in selecting a motor vehicle (C) from the pool of vehicle with sufficient charge to complete the desired trip (see: column 5, lines 46-48, lines 69 to column 6, lines 2).

As per claim 33, Tagami et al. teaches:

--the claimed defining a vehicle search group (VSG) for the port terminal at which user-input information is received from a user, wherein more than one and less than all of the vehicle from the fleet may be located in the VSG at any given time is met by the storage area (41) at the main port (MP, Fig. 1) that holds vehicles in which the user information has selected to complete the desire trip (see: column 5, lines 60-67);

--the claimed wherein said step of selecting a vehicle from the fleet comprises selecting a vehicle from the VSG of the port at which user-input information is received from a user is met by the computer (60, Fig. 4) communication with user's interface (48, Fig. 4) to select the

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appropriately charged vehicle to complete the desired trip (see: column 5, lines 62 to column 6, lines 2).

As per claim 34, Tagami et al. teaches the claimed VSG of any given port terminal includes vehicles parked at a parking facility at the port terminal is met by the vehicles parked in the storage area (41) at the main port (MP, Fig. 1) (see: column 5, lines 27-31, 41-47).

As per claim 35, Tagami et al. teaches the claimed VSG of any given port terminal further includes vehicles due to arrive at the port terminal within a preset time period is met by the returning procedure which includes all vehicle returning to main port (MP, Fig. 1) within a certain time period (see: column 5, lines 31-33).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-3, 6-8 and 22-24 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,812,070 to Tagami et al. in view of U.S. Patent No. 5,726,885 to Klein et al.

As per claim 2, Tagami et al. fails to teach a terminal including a display of a map of a serviced area, and said estimated distance of an intended trip is indicated by selection of a zone defined in said map.

Klein et al. teaches a vehicle map display for the user to assist location and current position of the vehicle.

Although Tagami et al. fails to teach a terminal including a display of a map of a serviced area, and said estimated distance of an intended trip, it would have been obvious to one having ordinary skill in the art to incorporate a map system as shown by Klein et al. in the vehicle system as taught by Tagami et al. with the motivation of assisting the user's in completing a more secure and safer desired trip (see: column 7, lines 17-22).

As per claim 3, Tagami et al. teaches the claimed shared vehicle is provided with a GPS which provides location information to a vehicle operator according to the selection of the zone when making the request is met (see: column 3, lines 24-26).

As per claim 6, Tagami et al. fails to teach a user-interface terminal comprises a display device for displaying a map to the user and a user-display interface for receiving user selected map locations corresponding to locations on the displayed map from a user.

Klein et al. teaches a vehicle map display for the user to assist location and current position of the vehicle.

Since Tagami et al. fails to teach a user-interface terminal and a user-display interface for receiving and displaying user information on map location, it would have been obvious to one having ordinary skill in the art to incorporate a map system as shown by Klein et al. in the vehicle system as taught by Tagami et al. the motivation being to better provide directional information to assist the user of the vehicle in finding the most efficient route to their destination.

As per claim 7, Tagami fails to teach:

--the claimed computer programmed to control the display device to display a map with at least one of predefined zones and map locations; and

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--the claimed user interface device for allowing a user to select at least one of the predefined zones and locations.

Klein et al. teaches a vehicle map display for the user to assist location and current position of the vehicle.

Although Tagami et al. fails to teach a computer program to control the display and user interface device for predefined zones and locations, it would have been obvious to one having ordinary skill in the art to incorporate a map system as shown by Klein et al. in the vehicle system as taught by Tagami et al. with the motivation of assisting the user's in completing a more secure and safer desired trip (see: column 7, lines 17-22).

As per claim 8, Tagami et al. teaches the claimed user interface device comprises at least one of a touch-screen, a keyboard, or a cursor controller is met by the user interface (48, Fig. 4) with keyboard (48b, Fig. 4) used to enter user password (see: column 5, lines 40-45).

As per claim 22, Tagami fails to teach a method of receiving a request for a vehicle comprises:

--the claimed displaying a map to the user; and

--the claimed receiving user-selected map locations corresponding to locations on the displayed map through a user-interface associated with the displayed map.

Klein et al. teaches a vehicle map display for the user to assist location and current position of the vehicle.

Although Tagami et al. fails to teach displaying a map and receiving the user-selected map location, it would have been obvious to one having ordinary skill in the art to incorporate a map system as shown by Klein et al. in the vehicle system as taught by Tagami et al. The

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motivation being to provide the user with better directional information to assist in finding a more efficient and timely route to their destination.

As per claim 23, Tagami et al. fails to teach a method of receiving a request for a vehicle comprises:

--the claimed displaying a map with at least one of predefined zones and map locations; and receiving user-selected zone or map locations through a user interface device.

Klein et al. teaches a vehicle map display for the user to assist location and current position of the vehicle.

Although Tagami et al. fails to teach displaying a map with at least one of predefined zones and map locations, it would have been obvious to one having ordinary skill in the art to incorporate a map system as shown by Klein et al. in the vehicle system as taught by Tagami et al. with the motivation of assisting the user's in completing a more secure and safer desired trip (see: column 7, lines 17-22).

As per claim 24, Tagami et al. teaches the claimed user interface device comprises at least one of a touch-screen, a keyboard, or a cursor controller is met by the user interface (48, Fig. 4) with keyboard (48b, Fig. 4) used to enter user password (see: column 5, lines 40-45).

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-35 have been considered but are moot in view of the new ground(s) of rejection.

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***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert W. Morgan whose telephone number is 703-605-4441. The examiner can normally be reached on 8:30 a.m. - 5:00 p.m. Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on 703-305-9588. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

RWM  
rwm  
February 22, 2002

  
JOSEPH THOMAS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100